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Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1879 (2009), by which the Council, following the request of the Government of Nepal and the recommendation of the Secretary-General, renewed the mandate of the United Nations Mission in Nepal (UNMIN) until 23 January 2010. UNMIN was established as a special political mission in 2007, with a mandate which included monitoring of the management of arms and armed personnel of the Communist Party of Nepal (Maoist) (CPN-M) and the Nepal Army. Following its merger with the Communist Party of Nepal-Unity Centre (Masal) on 13 January 2009, CPN-M was renamed the Unified Communist Party of Nepal-Maoist (UCPN-M).

2. The report reviews the progress of the peace process and the implementation of the mandate of UNMIN since my report to the Council of 13 July 2009 (S/2009/351).

II. Progress of the peace process

3. The stalemate among the political parties that has held up progress in the peace process remains unresolved, although renewed efforts are being made to break the deadlock and to give a new impetus to some aspects of the peace process. The Special Committee to supervise, integrate and rehabilitate Maoist army personnel resumed its work in September and renewed the mandate of its Technical Committee. The discharge and rehabilitation of the disqualified Maoist army personnel, including those determined by the 2007 verification process to be minors, was officially relaunched on 11 October after a further delay of three months. The Constituent Assembly has made slow progress on drafting the new constitution. Deep differences and mistrust persist between the opposition UCPN-M and the two major parties in the governing coalition, the Communist Party of Nepal-Unified Marxist-Leninist (UML) and the Nepali Congress (NC) over the circumstances that resulted in the resignation of the Maoist-led Government in May, in particular the countermanding by the President, Ram Baran Yadav, of the dismissal of the Chief of Army Staff, General Rookmangud Katawal, by the minority Maoist-led Cabinet. Two Supreme Court cases remain pending on the constitutionality of the actions.

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4. Since entering into opposition in May 2009, UCPN-M has blocked the Legislature-Parliament for all but one month, calling for "civilian supremacy" over the Nepal Army and for the President's action to be addressed. Consequently, the budget for the fiscal year 2009/10 remains to be considered by the House. UCPN-M also organized countrywide protests, which intensified early in September, with some incidents of stone-throwing and clashes between demonstrators and the security forces. Maoist protesters have also picketed public engagements attended by the President, the Prime Minister and Cabinet Ministers.

5. UCPN-M has consistently maintained that the head of the Nepal Army had failed to comply with the instructions of an elected Government and has questioned the constitutional authority of the President in respect of the Nepal Army. On the other hand, NC has stated that the reinstatement by the President of the Army Chief should not be cast in a negative light given that it was made at the request of 18 political parties. Late in September, discussions intensified between NC President Girija Prasad Koirala, Maoist Chairman Pushpa Kamal Dahal "Prachanda" and UML Chairman Jhala Nath Khanal aimed at a joint resolution that would be introduced in the Legislature-Parliament to clarify the executive powers of the Prime Minister and the President. Subsequently, on 3 October, NC and UML shared their draft proposal with UCPN-M, and the three parties formed an informal task force to work on finding a consensus. However, continuing differences among and within the major parties have hindered efforts to overcome the political deadlock. UCPN-M has threatened to introduce a no-confidence motion against the UML-led Government and to resume its protests in the third week of October if its demands are not addressed.

6. NC and UML leaders have spoken positively about the formation of a proposed high-level political mechanism to serve as a dedicated forum for multiparty dialogue on peace process-related issues, while the UCPN-M leaders have stated that their participation in such a mechanism would depend on the resolution of the issue of "civilian supremacy".

7. Controversy also arose over the refusal of the Vice-President to abide by a Supreme Court directive issued on 23 July instructing him to retake his oath of office in Nepali. The three Madheshi parties in the governing coalition, the Madheshi People's Rights Forum-Democratic (MPRF-D), the Tarai Madhesh Democratic Party (TMDP) and the Sadbhawana Party (SP), together with the opposition Madheshi People's Rights Forum (MPRF) and other groups, organized protests in the Tarai against the Supreme Court decision and in support of the Vice-President's having taken his oath in July 2008 in Hindi, which is widely spoken by Madheshis. The three coalition partners have advocated an amendment to the Interim Constitution that would allow the President and Vice-President to take the oath of office in languages other than Nepali, but it could not be pursued while the Legislature-Parliament remained blocked by the Maoist protests. The Madheshi parties have threatened to intensify their protests over the issue.

8. UCPN-M appears to be preparing for fresh protests, with the formation of a 144-member Revolutionary United Front that would lead a "joint national people's movement" to press for "civilian supremacy" and prepare for the establishment of a UCPN-M-led national unity Government. The movement's 45-point manifesto addresses a range of issues, including social and economic reform, State

restructuring and peace process-related issues such as the integration of the two armies and the social inclusion of traditionally marginalized groups.

9. During the reporting period, contradictory signals were given about whether the Government intended to proceed with a fresh round of recruitment into the Nepal Army and resume the import of lethal military equipment, as requested by the Army. In the assessment of UNMIN, either step would violate the terms of the Comprehensive Peace Agreement and the Agreement on Monitoring the Management of Arms and Armies. UNMIN has continued to consistently convey this position to the Government and the public. The Minister of Defence, Bidhya Bhandari, has called for the Comprehensive Peace Agreement to be revised, claiming that restrictions it places on recruitment, arms purchases and training had been detrimental to the effective functioning of the Nepal Army. UCPN-M has strongly protested her statement.

10. In my meeting with the Prime Minister, Madhav Kumar Nepal, at Sharm el-Sheikh in July, I conveyed the strong concern of the international community at the lack of progress in the peace process and stressed the need for a time-bound effort to resolve the impediments hampering the process. My Representative in Nepal and other senior officials have consistently encouraged consensus and dialogue between the parties, recommending the establishment of a more formal dialogue mechanism to streamline negotiations and find creative solutions to overcome the current impasse. At the same time, my Representative has also underlined the need to avoid provocative statements or actions in order to maintain a positive climate for dialogue.

A. Drafting of the constitution

11. The Constituent Assembly has faced repeated delays in drafting the new constitution. Following the resignation of Mr. Nepal as Chairman of the Constitutional Committee owing to his appointment as Prime Minister, the position was vacant for three months. Efforts to reach a consensus between the governing coalition and UCPN-M on the new Chairman failed, and Mr. Nilamber Acharya, nominated by NC, was elected to the position. The Committee has the primary responsibility within the Constituent Assembly of ensuring that a new constitution is promulgated by 28 May 2010. The Committee revised the schedule for the sixth time, giving the Assembly until 15 December to complete debates on the remaining five thematic concept papers. Subsequently, following a plenary discussion and a month-long public consultation, the Constitutional Committee will prepare the final draft. The delays have led to growing public speculation and concern that the May 2010 promulgation deadline will not be met.

12. The Constituent Assembly faces several challenges in completing its work, the most significant of which are the fundamental differences between the major political parties on core issues, including the form of the country's new federal structure and the system of governance. Several parties have submitted proposals on these matters, which have yet to be substantively discussed, while the five thematic committee concept papers that the Assembly has already debated include notes of dissent. The Chairman of the Constituent Assembly, Subas Nembang, and Constitutional Committee Chairman Acharya have recently called for the parties to

build trust and engage in dialogue aimed at resolving key outstanding issues by consensus in order to meet the deadline.

B. Integration and rehabilitation of Maoist army personnel

13. Following months of discussion over its composition, the Special Committee to supervise, integrate and rehabilitate Maoist army personnel was reactivated and met on 1 September, setting a six-month time frame for the completion of its work. The Committee is now chaired by the Prime Minister and includes two members each from UCPN-M, NC and UML and one each from MPRF, MPRF-D and TMDP. The Technical Committee, whose mandate was extended for three months, was directed to prioritize proposals regarding the Special Committee's supervisory authority over the Maoist army and has proposed a mechanism for the supervision, as well as a code of conduct for Maoist army personnel.

14. The Technical Committee resumed its assessment of the Maoist army cantonments, which is to be completed by the end of October. The visits undertaken have afforded the Committee members direct contact with and feedback from Maoist army commanders regarding the issues under the Committee's purview and have been useful confidence-building measures. The Committee has also consulted with the Nepal Army, the Maoist army, the Armed Police Force, the Nepal police, the National Investigation Department and civil society organizations.

15. On 9 September, Lieutenant General Chhatra Man Singh Gurung took up the position of Chief of Army Staff, following the retirement of General Katawal. He has expressed the view that integration is a purely political matter and that the Nepal Army will comply with the decisions of the Special Committee in that regard.

C. Discharge of disqualified Maoist army personnel

16. The Ministry of Peace and Reconstruction announced on 16 July that the discharge and rehabilitation of the 4,008 Maoist army personnel disqualified in the verification process would commence the following day. On 17 July, the process was officially launched with a visit to a Maoist army cantonment site in Nawalparasi district by Ministry officials accompanied by representatives of UNMIN, the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA) and the United Nations Children's Fund (UNICEF). During the visit, a group of disqualified Maoist personnel expressed their strong dissatisfaction with the proposed discharge process.

17. Following repeated commitments by the Government and Maoist leaders to move the process forward and numerous low-key consultations, the parties appointed a Steering Committee chaired by Minister for Peace and Reconstruction, Rakam Chemjong, as well as a working-level Technical Committee to oversee the process. On 11 October, the process was relaunched at main cantonment site 2 in Sindhuli district at a ceremony characterized by a spirit of renewed cooperation, where messages of support for the process were delivered by the Maoist army leadership, the Minister and the United Nations. This was followed by briefing and consultation sessions for the disqualified Maoist army personnel in main cantonment site 2 and its three satellite sites. Similar briefings are planned for the remaining cantonment sites in the coming weeks.

18. Further to Security Council resolution 1612 (2005), UCPN-M has been listed five times in the annexes to the annual report of the Secretary-General on children and armed conflict, in which parties recruiting or using children in situations of armed conflict are named. There are several criteria for being de-listed from the report, including joint Government and UCPN-M engagement in finalizing and implementing a "time-bound" and "concrete" action plan to discharge the 2,973 minors from the Maoist army cantonments. This must be done in close cooperation with the United Nations. The Special Representative of the Secretary-General for Children and Armed Conflict has continued to press UCPN-M and the Government to fulfil the long-delayed commitment to the discharge of minors.

D. Other challenges affecting the peace process

19. Public security remains a matter of serious concern, especially in the Tarai, where many armed groups continue to operate in a climate of impunity, and in some hill districts in the eastern and mid-western regions. The Government, represented by the Minister for Peace and Reconstruction, held two rounds of talks with five Tarai armed groups in August and September. The talks ended inconclusively, and a new round is scheduled for 6 November.

20. On 26 July, the Cabinet approved the national Special Security Plan aimed at improving the law-and-order situation, particularly in the Tarai and eastern hills. Implementation by the Nepal police and the Armed Police Force has begun, and the Government has claimed that there has been a reduction in violent crimes. However, several Madheshi leaders criticized the plan, which has not been made public, alleging that extrajudicial methods were being used. The Government has also proposed recruiting up to 11,000 additional personnel into the Nepal police and 5,000 into the Armed Police Force, to increase the forces' strength to 67,000 and 30,000, respectively.

21. Several ethnic groups, some Maoist-affiliated, as well as new identity- and ethnic-based organizations, have been protesting to press the Government to implement past agreements and to lobby for a federal system with ethnically based states. Some of these, including Tharu and Limbu organizations, have been using increasingly aggressive rhetoric, and militant groups associated with them have reportedly increased their recruitment of young people.

III. Status of the United Nations Mission in Nepal

22. As at 16 October, 261 of the 278 authorized personnel were assigned to the Mission. Of 191 civilian personnel, 30 per cent are women. Of the 52 substantive staff, 42 per cent are women, while 26 per cent of 139 administrative staff are women. As at 16 October, 3 of the 70 arms monitors serving with the Mission were women, gender representation in this area being dependent on the nomination of candidates by Member States. UNMIN efforts to recruit national staff from traditionally marginalized communities have yielded positive results: 50 per cent of the 123 national staff are from traditionally marginalized groups, and 30 per cent are women.

IV. Activities of the United Nations Mission in Nepal

A. Arms monitoring

23. The Arms Monitoring Office continued to monitor the compliance of the Nepal Army and the Maoist army with the Agreement on the Monitoring of the Management of Arms and Armies. Arms monitors continue to maintain round-the-clock surveillance of the Nepal Army weapons storage site and the weapons storage areas at the seven main cantonment sites of the Maoist army. From the main sites, they visit the satellite cantonment sites. Other operations are conducted by mobile teams from the headquarters of the Arms Monitoring Office in Kathmandu.

24. During the reporting period, UNMIN conducted a review of its arms monitoring arrangement and highlighted the need for the Nepal Army and the Maoist army to confirm the number of their respective personnel and increase cooperation with UNMIN on the notification of troop movements. Moreover, UNMIN recommended that confidence in the current monitoring regime could be strengthened through the conduct of joint humanitarian and mine action-related activities by the Nepal Army and the Maoist army.

25. The Joint Monitoring Coordination Committee, which monitors compliance with the Agreement on the Monitoring of the Management of Arms and Armies, continued to meet under the chairmanship of the UNMIN Chief Arms Monitor, and senior officers representing the Nepal Army and the Maoist army continued to cooperate closely on decision-making, the exchange of information, confidence-building measures and the resolution of disputes. During the reporting period, the Committee held five meetings and considered five alleged violations of the Agreement, one of which was substantiated as a violation.

26. During the almost three years of the implementation of the Agreement on the Monitoring of the Management of Arms and Armies, the Maoist army and the Nepal Army have generally complied with the confinement of their forces to cantonments and barracks, respectively, and the storage of the agreed number of weapons. In a serious violation of the Agreement by the Maoist army in August, 19 personnel, some in uniform and in possession of weapons, were detained by police at a checkpoint on the main east-west highway in Kapilvastu district. Following intervention by UNMIN, and with the cooperation of the parties, the incident was peacefully resolved. UNMIN arms monitors, together with the Nepal police, escorted the Maoist army personnel back to their cantonment sites.

27. At the request of the Ministry of Peace and Reconstruction, UNMIN arms monitors witnessed salary payments for August and September to verified Maoist army personnel at the cantonment sites.

28. Light monitoring of arms and armies by UNMIN was an arrangement designed to monitor the temporary confinement of the two armies for the duration of the Constituent Assembly election and not for an extended period.

B. Child protection

29. The Child Protection Unit continued to contribute to planning for the discharge and rehabilitation of the 2,973 Maoist army personnel who were disqualified as

minors but who remain at the cantonment sites. It is also working closely with UNICEF and UNDP in developing rehabilitation packages for those who were disqualified.

30. The Unit continued to work with the Nepal Task Force on the Monitoring and Reporting Mechanism, which is co-chaired by UNICEF and the Office of the United Nations High Commissioner for Human Rights (OHCHR) to effectively implement the monitoring and reporting mechanism established in accordance with Security Council resolution 1612 (2005). In view of the deteriorating law-and-order situation in the Tarai, the Nepal-based Working Group on Children Affected by Conflict conducted an assessment of protection concerns of children in nine Tarai districts, which was completed in August. It concluded that the ongoing violence and lawlessness in the Tarai had had a negative effect on children's education and contributed to the increased dropout rate in schools. Some children were also found to be involved with Tarai armed groups as messengers as well as involved in cross-border smuggling. Threats and economic necessity were two key factors that contributed to children's involvement in armed groups.

C. Political affairs

31. The Political Affairs Office continued to monitor and analyse the political situation in the country, including by means of field visits to the regions, and to assist the Mission leadership in supporting the peace process. Political Affairs Officers met on a regular basis with stakeholders, including Government officials, representatives of political parties and civil society organizations, as well as international actors. The activities of small militant groups, both armed and unarmed, and their potential to disrupt the peace process were monitored, as were the dynamics among the political parties and the evolving role of traditionally marginalized groups in the peace process. The Office continued to assess the status of implementation of the Comprehensive Peace Agreement, as well as other relevant agreements, and monitored proceedings of the Constituent Assembly and the work of its committees in preparing the new constitution.

D. Public information

32. During the reporting period, the Mission's arms monitoring role was widely discussed in the media in the light of the Kapilvastu incident (see para. 26 above). UNMIN issued a press release providing details about the incident, followed by a statement clarifying the scope of its monitoring responsibility, which is to determine relative compliance with the Agreement on the Monitoring of the Management of Arms and Armies and is not an enforcement or control role.

E. Safety and security

33. With the notable exception of the Tarai, the security situation has remained generally stable. Strikes and protests by various groups, especially those demanding compensation for victims of vehicular accidents, have continued across the country, in particular in the Tarai. Freedom of movement for United Nations staff has not been denied, however, owing partly to the security forces reducing the obstruction

of roads by demonstrators. During the reporting period, there were no direct threats against United Nations staff.

34. The UNMIN Safety and Security Section maintained close coordination with the United Nations Department of Safety and Security during the reporting period.

V. Human rights

35. Lack of accountability in many areas is impeding the political transition in Nepal, in particular with regard to violations of international human rights and humanitarian law committed during and since the conflict, which ended in 2006. The Government still has to follow up effectively on promises to ensure accountability for human rights violations committed by Nepal Army personnel during the conflict. Equally, UCPN-M has taken only limited steps to address cases in which its cadres committed serious violence during the conflict and afterwards. In the emblematic case of Maina Sunuwar, a 15-year-old girl tortured and killed by army personnel, the Kavre District Court issued a significant decision on 13 September, calling on the Nepal Army to suspend the one remaining serving officer charged in the case and to turn over witness statements from the Nepal Army court martial proceedings to the court. It has also ordered the District Attorney to produce the defendants and the witnesses. The Nepal Army should comply urgently with the court order.

36. The Army has nominated for extension, promotion and nomination for United Nations peacekeeping operations some senior commanders who were in the chain of command during the period in which detainees were tortured and disappeared from its Maharajgunj barracks in Kathmandu. The Government has temporarily suspended the promotion of one major general pending a review of his responsibility.

37. There has been slow progress on the establishment of transitional justice institutions, although the Government has undertaken some consultations with international and civil society organizations, as well as with conflict victims, on the proposed legal framework for the establishment of a commission of inquiry on disappearances and a truth and reconciliation commission. With support from OHCHR, the Ministry of Peace and Reconstruction has almost completed a series of public consultations on the draft bill that would establish a truth and reconciliation commission and has prepared the final draft of a bill criminalizing enforced disappearances and authorizing the establishment of a commission of inquiry on disappearances. Although the bills in their current form are not fully consistent with international standards, the Government has promised that further revisions will be made. By 13 October, neither bill had been forwarded to the Legislature-Parliament.

38. Public security-related issues, including the failure of the Government to curb the violent activities of armed groups, groups advocating for ethnic autonomy and youth wings of political parties, continue to be the most serious cause of instability in rural areas. It is too soon to assess the impact in terms of human rights of the new Special Security Plan. Although Government efforts to improve public security in the Tarai region in particular are much needed, human rights organizations, including OHCHR in Nepal, have expressed concern at the number of individuals killed in encounters with security forces and at credible allegations of extrajudicial

killings involving police personnel. OHCHR in Nepal has raised concerns about this issue directly with the Nepal police command and Government officials.

39. The National Human Rights Commission has continued to face challenges. Implementation by the Government of the Commission's recommendations has not improved, although the Commission welcomed a verbal commitment by the Prime Minister that he would instruct Government officials to do so. The Commission has also expressed concern about weaknesses in a draft law governing its activities.

40. In September, the Government increased the official death toll in the decade-long (1996-2006) Maoist insurgency by more than 3,000 to 16,278, in line with the provisional findings of a task force working since the end of the conflict to investigate and record casualties.

VI. Mission support

41. The mission support component has continued to support UNMIN activities effectively throughout the Mission area, with priority being given to the seven main Maoist army cantonment sites. The continued presence of arms monitors at the cantonments and their conduct of mobile patrolling require the wide deployment of UNMIN personnel. Consequently, communications and air transport resources continue to be required to provide the necessary logistical support, security and medical linkages between Kathmandu and the remote deployment locations of arms monitors. The Mission's single air asset, an Mi-8 helicopter, facilitates movements between Kathmandu and the cantonment sites and undertakes other field missions.

42. Following the downsizing of the Mission during the first quarter of 2009, the mission support component has continued to reduce the Mission's material resources.

VII. United Nations country team coordination

43. The environment for development cooperation remains difficult, as efforts to bridge differences and build trust within and between political parties continue to preoccupy the political leaders at the expense of development. Insecurity, uncertainty over the approval of the 2009/10 budget by the Parliament, the absence of local government and the fact that local peace committees have not yet become widely operational continue to hamper development efforts in rural areas. Despite these challenges, the United Nations country team has launched a number of new peace and development initiatives.

44. On 17 August, UNDP launched the *Nepal National Human Development Report 2009*. In addition to updating human development data disaggregated by factors including caste, region and gender, the report analyses the State transformation agenda and prospects for progress in human development as a result of the peace process. UNDP also launched a five-year Livelihood Recovery for Peace programme during the reporting period, targeting 300,000 households in three Tarai districts. The project will support social cohesion and improved livelihoods in conflict-affected communities.

45. The United Nations Peace Fund for Nepal released a further $2.1 million to UNDP, UNICEF and UNFPA to prepare for the discharge and rehabilitation of disqualified Maoist army personnel. The Fund also released $2 million to OHCHR to initiate a transitional justice programme to support the truth and reconciliation commission and the commission of inquiry on disappearances. The forthcoming application round will prioritize, inter alia, programmes that apply the provisions of Security Council resolutions 1325 (2000) and 1820 (2008) on women and peace and security and 1612 (2005) and 1882 (2009) on children and armed conflict.

46. Food insecurity continues to dominate humanitarian concerns. A combination of drought and high food prices in Nepal has increased the number of food-insecure people to 3.4 million. The Government is estimating a 400,000-ton cereal shortage for 2009. The cost of staple food in Nepal is now as high as during the peak of the international food crisis in August 2008, and it is expected to rise further. The World Food Programme has added another 700,000 people to its beneficiary caseload, bringing the number of people receiving food assistance to more than 2 million. By 13 October, landslides and floods had affected more than 16,000 families and resulted in 143 deaths.

47. Concerns related to the right to health and food became prominent during the reporting period. Populations in the mid- and far-western regions have suffered as a result of lack of food, water and other basic necessities, including health services. A diarrhoea outbreak in those regions which started early in May had resulted in about 300 deaths by the end of August. In Jajarkot, the worst-affected district, 141 deaths were reported. The diarrhoea outbreak was brought under control in September owing to actions by the Government supported by the World Health Organization (WHO) and other United Nations agencies. WHO continues to closely monitor the situation.

48. On 9 September, the Prime Minister announced a one-year national campaign to end gender-based violence and declared 2010 the Year against Violence against Women. UNFPA, together with the Department for International Development of the United Kingdom of Great Britain and Northern Ireland, supported the launch. UNFPA, UNICEF and the International Labour Organization will begin training conflict-affected girls on gender mainstreaming and gender-based violence, as well as supporting those with vocational skills in gaining employment.

49. The United Nations Mine Action Team in Nepal, comprising the United Nations Mine Action Service and UNICEF, has continued efforts to mitigate the threat of mines, improvised explosive devices and other explosive remnants of war, and to develop the capacity of the Nepal Army to meet its clearance obligations under the Comprehensive Peace Agreement. By 16 October, 17 of the 53 minefields had been cleared. The Mine Action Team provided technical and management training to Nepal Army personnel during the reporting period. It also continued to support the Maoist army in the clearance of the remaining explosive items stored at the main cantonment sites. Demolitions have been carried out at six of the seven main cantonment sites, and 28,208 items have been destroyed.

50. The Ministry of Peace and Reconstruction plans to set up a mine action office by December which will be in charge of the Government's response strategy with regard to improvised explosive devices, and the United Nations Mine Action Team is discussing support for the office with the Ministry. The Mine Action Team also met with the Nepal Army and the Armed Police Force regarding support for the

clearance of improvised explosive devices and the development of a national response strategy guided by the mine action office.

VIII. Observations

51. Core commitments in Nepal's peace process have yet to be implemented, and this is a matter of serious concern. Persistent mistrust among the parties, their absorption in day-to-day politics and internal party issues are currently compromising their capacities for flexible negotiation. Recently, the three major parties have come together in an informal task force and begun to discuss contentious peace process-related and constitutional issues. While consultations at all levels continue in an ad hoc manner, it remains my view that a more formal mechanism in support of such interactions among senior leaders would benefit the peace process.

52. The most significant achievement of the peace process to date has been the election of a representative Constituent Assembly. Its central task, and arguably the country's most important challenge, is to draft a new constitution, for promulgation by 28 May 2010. With just over half of the thematic concept papers having been debated by the Assembly, the overall schedule has been revised for the sixth time. Senior leaders of the main parties have generally not taken part in the Constituent Assembly discussions. I urge the parties to devote greater energy, through the Constituent Assembly process and other forums, to addressing issues that have been identified as long-term underlying causes of the conflict, including the restructuring of the State, land reform and other socio-economic challenges. To date, there has been little by way of agreed strategies for moving forward on these vital issues.

53. The recent initiative to restart the discharge of the disqualified Maoist army personnel and the joint engagement of the Government and the Maoists alike in that exercise should augur well for the peace process after months of drift. It is still too early to be confident about the success of the initiative. It is therefore critical that the Government, UCPN-M and the Maoist army sustain their cooperation and implement this long-overdue commitment as soon as possible.

54. The Prime Minister and the new Chief of Army Staff have underlined their commitment to the democratization of the Nepal Army. In the light of the need to bring the Army to an appropriate size, and given the very significant growth foreseen in other security forces, an overall strategy for this sector would be timely. I encourage the Government to continue to demonstrate the respect it has shown during the period for the provisions of the Comprehensive Peace Agreement as regards restrictions on recruitment and on the procurement of lethal military equipment.

55. Serious violations of the Agreement on the Monitoring of the Management of Arms and Armies have remained minimal for the past three years, and actors from across the political spectrum and from civil society have conveyed to my Representative their acknowledgment of UNMIN support in that regard. However, maintaining the current monitoring arrangements, designed for an earlier period of the peace process, for a prolonged period carries significant risks. Light monitoring by UNMIN cannot substitute for the urgent action required on the integration and rehabilitation of the Maoist army personnel and the "democratization" of the Nepal Army, as envisaged by the agreements. I call on all parties to arrive at a consensus

on the future of the Maoist army personnel, as this is one of the cornerstones of the peace process. Prime Minister Nepal has conveyed to the United Nations his intention to urgently work with all parties to complete the integration and rehabilitation process with a minimum of delay. The process is a major undertaking, and it is essential that all parties proceed with careful planning and sufficient clarity of substance and process. UNMIN will remain available to assist, as required.

56. The reconstitution of the Special Committee and the resumed work of the Technical Committee are positive steps. I hope that their work will proceed with the full commitment of all parties. UNMIN continues to work closely with the Technical Committee and will be ready to provide assistance once the Committee has drafted the plan to begin the integration and rehabilitation process.

57. Nepal is on the path of major political and social transformation. A Government of national unity remains desirable for timely promulgation of the country's new constitution and for the successful integration and rehabilitation of Maoist army personnel. At the same time, a thorough review of the implementation of the Comprehensive Peace Agreement, which has not taken place since the signing of the Agreement in 2006, could help restore mutual confidence among the parties and revitalize the peace process. The parties should develop a clear road map of the priority actions needed to fulfil the expectations of the people of Nepal for the dividends of democracy and social transformation.

58. The peace process stakeholders have consistently conveyed the view that the role of UNMIN in the nationally driven peace process remains important. As indicated above, initial positive steps have been taken to advance the integration and rehabilitation of Maoist army personnel and the discharge of those disqualified by the 2007 verification process. However, those steps are rather tentative and cannot with certainty be considered sufficient to create the conditions for the completion of the Mission's activities by the end of the current mandate, including implementation of commitments made in the letter from the Government of Nepal dated 7 July 2009 (S/2009/360, annex). This underscores the considerable task that awaits the Nepalese parties in the coming two and a half months. UNMIN and the United Nations as a whole stand ready to assist them in achieving their peace process commitments.

59. I would like to convey my appreciation to the members of the Security Council and other Member States for their continued support to Nepal and the work of the United Nations in support of the peace process. I would also like to thank my Representative, Karin Landgren, and her staff, as well as partner organizations in Nepal, for their dedicated efforts.